

1/14/08 - Monday, January 14, 2008

CITY OF EAU CLAIRE

PLAN COMMISSION MINUTES

Meeting of January 14, 2008

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City Hall, Council Chambers

7:00 p.m.

Members Present: Messrs. Levandowski, Larson, FitzGerald, Kayser, Waedt, Kaiser, Vande Loo, Davis

Staff Present: Messrs. Tufte, Reiter, Genskow, Ivory

The meeting was chaired by Mr. Levandowski.

1. **REZONING (Z-1404-08) - I-1 and P-Public to R-3P, Park Ridge Drive**
and
SITE PLAN (SP-0801) - Harbor Place Apartments

Kevin Kadlec has submitted a request to rezone property located at the northeast corner of N. Clairemont Avenue and Park Ridge Drive from I-1 and P-Public to R-3P, and to adopt the General Development Plan (site plan) for a residential care apartment complex. The facility will be a 57 unit, two-story building with common activity room, kitchen, dining, and other area. Units will be one- and two-bedroom apartments. The Comprehensive Plan>

Mr. Kayser suggested two additional conditions be placed on the landscape plan: 1) that Ash trees not be planted; and 2) that any Norway Maple be of the seedless variety.

Kevin Kadlec, applicant, spoke in support. He stated that he understood the conditions listed in the staff report and the requested changes to the landscape plan.

No one appeared in opposition.

Mr. Davis suggested that the number of parking spaces could be reduced further to provide more open space.

Mr. FitzGerald moved to recommend approve of the rezoning and the site plan with the nine conditions listed in the staff report adding three conditions: 1) that no Ash trees be included in the landscape plan, 2) provide only seedless varieties of Norway Maple in the landscape plan; and 3) 35 parking spaces is the minimum required spaces for this project. Mr. Waedt seconded and the motion carried.

2. **REZONING (Z-1406-08) - Message Center Sign Code Amendment**

Pat Ivory reviewed the history of the preparation of the Message Center Sign Code Amendment. There were nine meetings where the code was discussed with the Commission, and a public hearing on August 6, 2007, when consideration was postponed. The Comprehensive Plan also>

Review of other communities found no commonality in how these electronic signs are treated. Mr. Ivory also provided a summary of what the ordinance amendment permits and its affect on existing message center signs. There are approximately 26 such existing signs in the City at the present time.

Bob McCoy, representing the Eau Claire Area Chamber of Commerce, stated that this issue had a huge response from the members. They had also contacted over 100 communities for research on these signs. The Chamber had a task force of members review the ordinance. They have decided to support the ordinance with some proposed changes to allow scrolling in all directions and would agree to restrictions on flashing and animation usage.

Jay Bearson, 138 Race Street, provided demonstrations of electronic scrolling and fading, flashing, and animation. He also provided suggested ordinance changes.

John Mogensen, 617 3rd Avenue, stated that he has concerns for his existing signs and the messaging that would be permitted. Mr. Tufte responded that flashing and animation are not permitted now under the existing ordinance and, therefore, they are not "grandfathered" under the new ordinance.

Dirk Snyder, Signart Company and a member of the Chamber's Task Force, commented on the ordinance in favor of scrolling and commented on his Las Vegas experience where all signs are electronic and there are no traffic problems.

Linda Adler, representing the Visitors and Tourism Center, stated she supported the Chamber's Task Force on the electronic signs. She encouraged the use of scrolling and transitions and commented that a conditional use permit could be allowed in the future for animation depending on the business.

Nancy Yule, Visitors and Tourism Center, showed a recording of four existing electronic signs in the City.

Frank Borg, Country Club Lane, Altoona, also a member of the Chamber's Task Force on electronic message centers, spoke in favor of the signs and the compromise to not allow flashing and animation.

Vicki Hoehn, representing RCU, requested the Commission consider the compromise position of the Chamber and commented on RCU's need for fast changing signs.

Scott Tiegen, Kwik Trip Stores, stated he supports the ordinance with the compromise proposed by the Chamber.

Mr. Davis moved to recommend the ordinance with the understanding there would be amendments proposed to this ordinance. Mr. Larson seconded.

Mr. Kaiser moved to amend paragraph 3 (a) (i) to read: A text message may scroll or appear to travel horizontally or vertically on the sign face at a constant speed, but no part of the message or display shall flash, blink or use any other form of animation, nor shall the background for such message use any form of animation. Mr. Larson seconded and the motion carried.

Mr. Waedt then moved to amend paragraph 3 (a) (ii) to read: Static displays on such sign shall be displayed for at least two seconds and the change or transition from one display or message to the next shall occur as quickly as possible. Mr. Kaiser seconded and the motion carried.

Mr. Kaiser then moved to amend paragraph 3 c to read: A message center existing on January 22, 2008, which is not in conformance with these provisions shall be considered legal, nonconforming sign subject to 16.16.140. Mr. Vande Loo seconded and the motion carried. Mr. Larson voted no.

Mr. Kaiser then moved to amend the definition of Animated Sign to read: A sign which displays a rapid sequence of images of two dimensional artwork by flashing, changing appearance, or changing color in a manner that creates an illusion or appearance of movement, change or motion of symbols, letters, characters, illustrations, images, video or messages. The term animation shall not include message transitions, stagnant images, pictures, logos or icons. Mr. FitzGerald seconded and the motion carried.

Mr. Kaiser then moved to amend the definition of Animated to read: The appearance of illusion of movement, change, or motion by a sequential display of two dimensional art- work. Mr. FitzGerald seconded and the motion carried.

Mr. Levandowski then called a vote on the original motion with the approved amendments and the recommendation carried.

3. **STREET VACATION - Galloway Street**
and
4. **EXCESS PROPERTY - Galloway Street**

Mr. Genskow presented a request to vacate a section of Galloway Street to the east of Banbury Place. This section is abandoned after the new section of Galloway Street was built to the south. The excess property is the vacated right-of-way, which is part of the City's obligations under the Purchase Agreement for the relocation and construction of Galloway Street. Title of the land will be transferred to Banbury Place.

Mr. FitzGerald moved to recommend approval of the street vacation. Mr. Vande Loo seconded and the motion carried. Mr. Kaiser abstained.

Mr. Vande Loo moved to recommend the parcels>

5. **STREET NAME CHANGE - Old Town Hall Road**

Mr. Genskow presented a request from property owners to change the originally approved name of that portion of a street, which will be extended east of Hwy. 53, south of I-94 from Old Town Hall Road to Sculy Drive. This street will serve the new Gander Mountain store. The WIS/DOT will construct a round-about at this location on Hwy. 53 which will easily define traffic between Old Town Hall Road to the west and Sculy Drive to the east.

Mr. Vande Loo moved to recommend approval. Mr. Kayser seconded and the motion carried.

6. **DISCUSSION**

A. Plan Progress Report

Mr. Tufte presented a report on the progress being made towards the completion of the various tasks>

Minutes

The minutes of the meeting of December 17, 2007, were approved.